

**IN THE MATTER OF:
JONES LANE COMMUNITY SIDEWALK PROPOSAL**

CIP Project No. 0506747 / Annual Sidewalk Program

BEFORE: Gary Erenrich, Public Hearing Officer, Department of Transportation

PUBLIC HEARING OFFICER'S RECOMMENDATION

I. BACKGROUND

The Montgomery County Department of Transportation (MCDOT) proposed to construct a sidewalk that will provide safer pedestrian travel along the following roadways in Darnestown, Maryland:

- a. West side of Jones Lane from MD Rt. 28 (Darnestown Road) to Falconridge Drive (same side as school);
- b. East side of Jones Lane from Lloydminster Drive to Falconridge Drive (opposite the school);
- c. West side of Jones Lane from Buck Lane to Doe Lane (same side as school).

This project is located within the Ancient Oaks, Quail Run, Mountain View Estates, and Potomac Chase communities of Darnestown, located within the sixth election district of Montgomery County, Maryland. The proposed sidewalk will be a five-foot wide concrete sidewalk with a variable greenspace of zero to three feet.

Displays were presented at the public hearing showing the proposed sidewalk relative to bus stops, local facilities, and the Jones Lane Elementary School. An additional display revealed a typical cross-section of pavement and sidewalk for each proposed roadway, demonstrating the amount of public right-of-way available for construction of the sidewalks.

The project will cost an estimated \$323,744.44, including administrative and construction inspection costs. It will be funded through the County's Annual Sidewalk Program – CIP No. 0506747. No properties are considered to be specially benefitted by the project, and, therefore, no properties are expected to be assessed.

A public hearing was held pursuant to Section 49-53 of the Montgomery County Code on Wednesday, January 22, 2020 at approximately 7:00pm in the All-Purpose Room of the Jones Lane Elementary School located at 15110 Jones Lane, Darnestown, Maryland 20878. Public notice of the hearing was provided to adjacent property owners, as well as those neighboring across the street. Notice to the public was, likewise, published in the Washington Post on the 2nd and 16th of January 2020, posted on MCDOT's web calendar and was the subject of a "Go Montgomery!" Montgomery County government press release.

The hearing was broadcasted over the internet. A recording of the hearing can be viewed at <https://montgomerycounty.adobeconnect.com/psf2ofzsu1qq/>. Following the hearing, the public record was held open until 6:00 p.m. on Wednesday, February 12, 2020, to allow for additional comments to be submitted.

II. SUMMARY OF TESTIMONY, WRITTEN COMMENTS AND EXHIBITS

A. Project Description

A description of the proposed sidewalk project was presented by Tim Cupples, Chief of MCDOT's Division of Transportation Engineering. The original requests to construct sidewalks on Jones Lane were received in 2008 in an effort to provide greater pedestrian safety in the midst of ever-increasing traffic. At that time, however, the local civic and homeowners' associations, as well as many residents, did not endorse sidewalk installation. Over the years that followed, however, multiple additional requests were received, and support grew for the project, resulting in endorsements for

sidewalk installation from the North Potomac Citizens Association, Fox Hills North Community Association, Potomac Bend Homeowner's Association and the Upcounty Citizens Advisory Board. Of particular concern were school children walking to and from the Jones Lane Elementary School, visiting friends in the neighborhood and riding bicycles. Mr. Cupples described the project's history and the improved safety that would be created for the entire community. He further explained how the proposed sidewalk will provide safer access for commuters to and from the Montgomery County Ride-On bus stops located along Darnestown Road / MD 28.

Mr. Cupples provided project vicinity maps showing approximately 5,750 linear feet of proposed sidewalk in the Ancient Oaks, Quail Run, Mountain View Estates, and Potomac Chase communities of Darnestown. Jones Lane offers 70-feet of public right-of-way dedicated for public use.

B. Testimony and Written Comments

Comments received prior to the public hearing reflected resounding support for sidewalk installation from within the community. A tally of pre-hearing comments revealed 19 supporting comments, two opposing and three that supported the sidewalk but did not feel that sidewalk was necessary on both sides of the road between Lloydminster and Falconbridge Drives.

Residents of 15612 Jones Lane summed up much of the supporting sentiment when they wrote:

My wife and I are completely in favor of having a sidewalk constructed on Jones Lane . . . This is a family neighborhood. A sidewalk is necessary to ensure the safety of the people who live here. Children currently struggle to walk to school and to their neighbors' homes. We cannot walk our dogs without risking our lives. It is much too dangerous to leave Jones Lane without a sidewalk. . .

Mr. Garen Stepanian added,

It's imperative that a sidewalk be constructed. For safety reasons alone, the sidewalk is a necessity. It's a matter of time until someone is hurt, and it will not reflect well on the city when the injury is in front of an elementary school and subsequent to a proposed fix. Sidewalks improve community connections and avail resources, such as parks, to all within the community. . . . This is a case where the benefits far out weight the cost and the risk of failing to act can have serious consequences on resident safety.

In contrast, one opposing resident argued that sidewalks make pedestrian travel less safe because they give drivers more freedom to speed. Another resident was concerned about her professional landscaping planted in the right-of-way. Other concerns of those opposed include snow removal, rainwater drainage, septic fields, curb and gutter installation and parking.

III. SUPPLEMENTAL EVALUATIONS PERFORMED AT REQUEST OF RESIDENTS

Resident testimony brought to light concerns regarding two intersections along Jones Lane; those of Jones Lane at Lloydminster Drive and Jones Lane at Doe Lane.

The intersection of Jones Lane at Lloydminster Drive was described as having drainage problems. In addition, residents requested a crosswalk at this intersection to cross Jones Lane. Construction Representative, Juan Berrios, visited the location during a heavy rainfall, and did not take note of any drainage puddling. In addition, the Traffic Engineering and Operations Division evaluated the intersection for the possible installation of a crosswalk to cross Jones Lane. Due to limited sight lines, grade of the roadway, and in consideration of vehicular speeds, the Traffic Engineering and Operations Division recommended that a crosswalk not be installed in this location. In addition, the existing ADA ramp located on the southeast corner is to be removed and a hard curb installed to round the corner, leading pedestrians to, likewise, round the corner and proceed to the existing crosswalk at Jones Lane and Falconbridge Drive.

Residents also described drainage puddling at Jones Lane and Doe Lane. Mr. Berrios also evaluated this location during a heavy rainfall and observed a large puddle of standing water. This location and issue has been forwarded to the Highway Services Division of MCDOT for regrading of the landscape, swale and inlet.

IV. CONCLUSIONS AND RECOMMENDATIONS

The purpose of conducting a public hearing, as well as the comment period which follows, is to provide sound, factual information. The information collected is used to prepare a recommendation which is presented to the Director of the Department of Transportation. The Director reviews the recommendation and determines a final decision based on the public need and appropriateness of the project.

It is very common for sidewalk projects to raise diverse views on the necessity for construction of sidewalks. The opposition to construction of sidewalks generally includes the concern over increase in responsibility of snow shoveling, the reduction of front lawns and driveways of those properties where the sidewalk is being proposed, the impact to trees and other landscaping, addition of impervious surfaces, impact to the aesthetics of the community, etc. The proposed Jones Lane Community Sidewalk project is no exception.

In my opinion, however, the public interest for the proposed project *is* adequately demonstrated. "Public interest" is a broad concept that manifests itself in a variety of contexts. When a construction project is involved, the project will be considered to be in the public interest if it will do such things as promote the general health and safety of the citizenry, protect the environment, preserve open space or otherwise advance the community's quality of life. This includes providing for the safe and efficient flow of vehicular and pedestrian traffic. The County has, in recent years, focused on the need for


pedestrian safety through the creation of a pedestrian safety task force and the tracking of pedestrian safety data through CountyStat. Sidewalks are an established means of reducing pedestrian-vehicle conflicts.

This sidewalk project is proposed under the Annual Sidewalk Program, which is a continuing program to provide pedestrian facilities throughout the County. Though written testimony offered for the project reflects a small amount of mixed reception, exhibits and supporting comments provide adequate justification to establish that constructing the proposed sidewalks will create a safer mode of travel for all pedestrians. The sidewalk will provide a clear-cut and firm separation between the roadway and pedestrian travel. The sidewalks will be constructed entirely within the public right-of-way without needing acquisition of additional property.

The proposed sidewalk will give two communities and their surrounding residents a safe option for pedestrian travel, connecting them to parks, churches, schools, public transportation and each other.

Upon thorough review of all the testimony and evidence presented in the public record, I conclude that there is sufficient basis to find that the Jones Lane Community Sidewalk Proposal project will be in the best interest of the public. I, therefore, recommend that the Director of the Department of Transportation authorize the project be constructed by MCDOT as modified herein.


Respectfully submitted,



Gary Erenrich
Public Hearing Officer

The Public Hearing Officer's Report and Recommendation for construction of the Jones Lane sidewalk project has been reviewed and the project is hereby authorized for construction.

Date: 6/23/20


for _____
Christopher Conklin, Director
Department of Transportation